

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH DECEMBER 2006 / 21ST AGRAHAYANA 1928

Bail Appl..No. 7334 of 2006()

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CRIME NO. 224/06 OF ATHOLI POLICE STATION

PETITIONER:

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AYISHAKUTTY THAROL, AGED 51 YEARS,  
W/O. ABDULLAKUTTY, THAROL HOUSE, POYILINGALTHAZHE,  
OLLOOR AMSOM, KUNNATHARA DESOM, KOYILANDY TALUK,  
KOZHIKODE TALUK.

BY ADV. SRI.MANJERI SUNDERRAJ  
SMT.SUSAN JACOB

RESPONDENTS:

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STATE OF KERALA,  
SHO, ATHOLI POLICE STATION, KOZHIKODE  
(CRIME NO.224/2006 U/S.304 B IPC), REPRESENTED BY  
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 08/12/2006, THE COURT ON 12/12/2006 PASSED THE  
FOLLOWING:

**V. RAMKUMAR, J.**

**\* \* \* \* \***

**B.A. No. 7334 of 2006**

**\* \* \* \* \***

**Dated, this the 12<sup>th</sup> day of December 2006**

**ORDER**

Petitioner who is the 2<sup>nd</sup> accused in Crime No. 224/06 of Atholi Police Station originally registered under Sec. 174 Cr.P.C. under the caption "unnatural death" and subsequently registered for an offence punishable under Sec. 304 B I.P.C., seeks anticipatory bail.

2. The petitioner namely 51 year old Ayshakutty Tharol, is the mother-in-law of one Nazeera (26 years) who committed suicide on 24-11-2006. The marriage between Nazeera and the petitioner's son Shani (first accused) was on 11-1-2002 according to the Muslim customary rites. A female child by name Fathima Fida was born in that wedlock. While in the matrimonial home Nazeera was continuously harassed and subjected to mental torture by her husband and mother-in-law. She used to suffer in silence the ill-treatment meted out to her. Finally, unable to bear with the cruelty, she finally committed suicide by hanging in her matrimonial home. She had left a suicide note inside the dress worn by her implicating her husband and mother-in-law. In the suicide note has only very bitter experiences to recollect about her mother-in-law. A woman who had revelled in

deriving cruel pleasure in inflicting mental pain on her daughter - in - law does not deserve anticipatory bail.

3. There is no reason why the petitioner should not seek regular bail after surrendering before the Magistrate . Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably, on the same date on which it is filed.

With this direction this bail application is dismissed.

**Sd/-V. RAMKUMAR,  
(JUDGE)**

ani.

/true copy/

P.A. to Judge.